REPUBLIC OF THE PHILIPPINES
COURT OF TAX APPEALS
QUEZON CITY

EN BANC

COMMISSIONER OF INTERNAL REVENUE,
Petitioner,

-versus-

KEPWEALTH, INC.
Respondent.

CTA *EB* NO. 3002
(CTA Case No. 10353)

Present:

RINGPIS-LIBAN, *P.J.*,
BACORRO-VILLENA,
MODESTO-SAN PEDRO,
REYES-FAJARDO,
CUI-DAVID,
FERRER-FLORES, *and*
ÁNGELES, *JJ.*

Promulgated:

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RESOLUTION

CUI-DAVID, J.:

Before the Court *En Banc* is petitioner's *Motion for Reconsideration (Re: Decision dated 23 September 2025)*[1] [*Motion for Reconsideration*], filed through registered mail on October 20, 2025, with respondent's *Opposition (to the Motion for Reconsideration (Re: Decision dated 23 September 2025) dated October 17, 2025*[2] [*Opposition*], personally filed on November 24, 2025.

Petitioner seeks the reversal of the Court *En Banc*'s *Decision* dated September 23, 2025,[3] which denied the *Petition for Review* for lack of merit. The assailed *Decision* disposed of the case as follows:

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[1] *En Banc* Docket. pp. 195-205.
[2] *Id.* at 210-223.
[3] *Id.* at 172-186.

x--x

> **WHEREFORE**, premises considered, the instant *Petition for Review* filed by the Commissioner of Internal Revenue is hereby **DENIED** for lack of merit.
>
> Accordingly, the assailed *Decision* dated April 17, 2024 and *Resolution* dated September 9, 2024, issued by the Court's Special Third Division in CTA Case No. 10353 are **AFFIRMED**.
>
> **SO ORDERED**.[4]

In the assailed *Decision,* the Court *En Banc* denied petitioner's *Petition for Review* after finding that the Court in Division did not err in upholding its jurisdiction over the case and ruling that respondent is not liable for donor's tax. The Court *En Banc* affirmed that the respondent's Petition for Review was timely filed pursuant to Supreme Court Administrative Circular (SC AC) No. 43A-2020, and that the petitioner's use of an outdated valuation method rendered the donor's tax assessment invalid. It also adopted the Court in Division's declaration that Revenue Regulations (RR) No. 6-2013, rather than RR No. 6-2008, applies in computing the fair market value (FMV) of the subject shares for tax purposes.

Petitioner received the assailed *Decision* on October 3, 2025.[5]

Under Section 1, Rule 15 of the Revised Rules of the Court of Tax Appeals,[6] petitioner had 15 days from receipt of the assailed *Decision* to file a motion for reconsideration, or until October 20, 2025. The fifteenth day, October 18, 2025, fell on a Saturday; thus, pursuant to the rules on the computation of periods, the deadline was moved to the next working day, which was Monday, October 20, 2025. Petitioner filed its *Motion for Reconsideration* on October 20, 2025, and therefore complied with the prescribed period.

In the present *Motion for Reconsideration,* petitioner urges the Court *En Banc* to review, re-evaluate, revisit, and reconsider its assailed *Decision* on the following grounds:

1. The *Petition for Review* filed by respondent before the Court in Division was belatedly filed;

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4 *Id.* at 184-185.
5 *Id.* at 171.
6 SECTION. 1. *Who may appeal and when to file motion.* – Any aggrieved party may seek a reconsideration or new trial of any decision, resolution or order of the Court by filing a motion for reconsideration or new trial within fifteen days from the date of receipt of notice of the decision, resolution or order of the Court in question.

2. SC AC No. 43A-2020 applies only to petitions or appeals governed by the Rules of Court in accordance with the Supreme Court's power to promulgate procedural rules; and

3. In assessing respondent's alleged deficiency donor's tax, petitioner applied the provisions of RR No. 6-2013, as supplemented by RR No. 6-2008.

In its *Opposition*, respondent submits that the *Motion for Reconsideration* should be denied outright for being a mere rehash of the arguments previously raised by petitioner in his *Petition for Review* before the Court *En Banc* and in his prior submissions before the Court in Division.

Respondent reiterates that SC AC No. 43A-2020 applies to the petition filed before the Court in Division, which was timely filed. It likewise maintains that the Adjusted Net Asset Method prescribed under RR No. 6-2013 is the applicable method for computing the FMV of the shares sold by respondent.

After a careful consideration of the submissions of both parties, the Court finds petitioner's Motion for Reconsideration to be without merit.

A scrutiny of petitioner's motion reveals that, as observed by respondent, petitioner merely reiterates arguments that have already been raised, thoroughly considered, and squarely rejected in the assailed *Decision.*

As petitioner has failed to present any new argument or raise a novel issue that has not been previously scrutinized, studied, and resolved by the Court, there is no compelling reason to modify, much less overturn, the assailed *Decision.*

WHEREFORE, premises considered, petitioner's *Motion for Reconsideration (Re: Decision dated 23 September 2025) dated October 17, 2025,* is **DENIED** for lack of merit.

SO ORDERED.

LANEE S. CUI-DAVID
Associate Justice

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WE CONCUR:

MA. BELEN M. RINGPIS-LIBAN
Presiding Justice

JEAN MARIE A. BACORRO-VILLENA
Associate Justice

MARIA ROWENA MODESTO-SAN PEDRO
Associate Justice

Marian Ivy F. Reyes-Fajardo
MARIAN IVY F. REYES-FAJARDO
Associate Justice

CORAZON C. FERRER-FLORES
Associate Justice

HENRY S. ANGELES
Associate Justice